IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE**

**and**
**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 25639 of 2002**

Between:

M/s.Balaji Steel Rolling Industries,

Represented by its Partner Vijayanad Gupta,

S/o.Ramavatar Gupta, III Floor, Suryoda Comples,

M.G.Road, Secunderabad 500 003

... PETITIONER

AND

State Bank of Hyderabad,

Represented by the Chief Manager,

Chikadapally Branch, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to a Writ, in the nature of a Writ of Mandamus or any other appropriate Writ, direction or order declaring the undated Notice No. 216(A), which was received by the petitioner by registered post acknow-ledgement due on 28/10/2002, issued by the State Bank of Hyderabad, Chikkadpally Branch, Hyderabad, the respondent herein, under

Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Ordinance, 2002, as illegal and void.

**For the Petitioner: MR.GOURI SHANKAR SANGHI, Advocate.**
**For the Respondent : MR.CH.RAVINDRA BABU**

**The Court made the following :**

**ORAL ORDER :** (per Hon'ble Sri Devinder Gupta, the Chief Justice)

In view of the decision of the Hon'ble Supreme Court in Transfer Case (civil) No.92-95 of 2002 dated 8th April, 2004 (MARDIA CHEMICALS LTD. Vs. UNION OF INDIA & ORS.), challenge to the provisions of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is not tenable and for that reason, relief prayed for in this Writ Petition can not be granted.

Writ Petition is, therefore, dismissed.

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DEVINDER GUPTA, CJ

5th July, 2004

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(G.ROHINI, J)

TVR/DRK

To:

1)The Chief Manager, State Bank of Hyderabad, Chikkadpally Branch, Hyderabad.

2)Two CD copies.